

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT
Thurgood Marshall U.S. Courthouse 40 Foley Square, New York, NY 10007 Telephone: 212-857-8500

MOTION INFORMATION STATEMENT

Docket Number(s): 14-CV-1363

Caption [use short title]

Motion for: Extension of Time/AdjournmentLouanna Giambattista,
Plaintiff-Appellant-against-

Set forth below precise, complete statement of relief sought:

First Application for extension of time to file
Appellant's brief and joint appendix,
requesting extension from June 16, 2014 to
July 7, 2014

American Airlines, Inc.
Defendant-AppelleeMOVING PARTY: Louann Giambattista☒ Plaintiff☐ Defendant☒ Appellant/Petitioner☐ Appellee/RespondentOPPOSING PARTY: American Airlines, Inc.MOVING ATTORNEY: Steven MorelliOPPOSING ATTORNEY: Ashley J. Hale

[name of attorney, with firm, address, phone number and e-mail]

The Law Office of Steven A. Morelli, P.C.Morgan, Lewis & Bockius LLP1461 Franklin Avenue, Garden City, NY 11530502 Carnegie Center, Princeton, NJ 08540(516) 393-9151 -- smorelli@smorellilaw.com(609) 919-6621 -- ahale@morganlewis.comCourt-Judge/Agency appealed from: Southern District of New York

Please check appropriate boxes:

Has movant notified opposing counsel (required by Local Rule 27.1):

☒ Yes☐ No (explain): _____

Opposing counsel's position on motion:

☒ Unopposed☐ Opposed☐ Don't Know

Does opposing counsel intend to file a response:

☐ Yes☒ No☐ Don't KnowFOR EMERGENCY MOTIONS, MOTIONS FOR STAYS AND
INJUNCTIONS PENDING APPEAL:

Has request for relief been made below?

☐ Yes☐ No

Has this relief been previously sought in this Court?

☐ Yes☐ No

Requested return date and explanation of emergency: _____

Is oral argument on motion requested?

☐ Yes☒ No

(requests for oral argument will not necessarily be granted)

Has argument date of appeal been set?

☐ Yes☐ No

If yes, enter date: _____

Signature of Moving Attorney:

Date:

6/4/14Service by: ☒ CM/ECF☐ Other

[Attach proof of service]

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

-----X
LOUANN GIAMBATTISTA,

Plaintiff-Appellant,

-against-

AMERICAN AIRLINES, INC.

Defendant-Appellee,
-----X

14-CV-1363

**AFFIRMATION IN
SUPPORT**

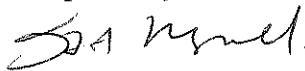
STEVEN A. MORELLI, an attorney duly admitted to practice law in the State of New York, affirms the following, under penalty of perjury:

1. I am a member of THE LAW OFFICE OF STEVEN A. MORELLI, P.C., attorneys for Plaintiff-Appellant Louann Giambattista in the above captioned appeal. I was admitted to practice before this Court on April 7, 1995, and renewed my admission on January 27, 2011. I remain a member in good standing.
2. I am submitting this affirmation in support of Plaintiff-Appellant's first application for an extension of time to submit her appellate brief.
3. On or about March 26, 2014, the District Court issued an Order granting Defendant's Motion to Dismiss the underlying action.
4. On April 24, 2014, Plaintiff-Appellant filed a Notice of Appeal, and on May 7, 2014, this office filed Form C and Form D, in accordance with the Second Circuit's Rules of Appellate Procedure.

5. The current deadline for Plaintiff-Appellant to file her brief is June 16, 2014.
6. We are currently preparing for a trial in the matter of *Bodkin v. South Huntington Union Free School District (12-CV-1545)*, before the Honorable Judge Leonard Wexler, in the Eastern District of New York. Jury selection is scheduled for June 9, 2014, and the trial is expected to last for several weeks.
7. As a result of the upcoming trial, I am respectfully requesting a three week extension of time for Plaintiff-Appellant to submit her brief. If our request was granted, the deadline would be extended to July 7, 2014. This is the first request for an extension.
8. Our office has conferred with Ms. Ashley J. Hale, of Morgan, Lewis & Bockius LLP, counsel for Defendant-Appellee American Airlines, Inc., and she has consented to this request.
9. If the Court grants this request for an extension, the parties request that the deadline for Defendant-Appellee's brief be due on August 18, 2014.

Dated: Garden City, NY
June 4, 2014

Respectfully Submitted,



Steven A. Morelli

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